

Message Text

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TO AMEMBASSY CARACAS IMMEDIATE

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FOLLOWING REPEAT USUN 5483 ACTION SECSTATE INFO SANTIAGO
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QUOTE

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E.O. 11652: N/A

TAGS: CI, SHUM

SUBJECT: CONG, FRASER TALKS TO CHILEAN MINISTER OF JUSTICE

CHILEAN MINISTER OF JUSTICE SCHWEITZER CALLED ON
CONGRESSMAN FRASER AT USUN OCTOBER 29. SCHWEITZER SAID:
CONTINUED TERRORIST ACTIVITY REQUIRES MAINTAINING STATE OF
SIEGE FOR "MAYBE SIX MONTHS OR A YEAR" LONGER; MILITARY
COURT PROCEDURES HAVE BEEN LIBERALIZED DURING PAST TWO
MONTHS; VISIT BY HUMAN RIGHTS COMMISSION WORKING GROUP WAS
POSTPONED, NOT CANCELLED, UNTIL "A TIME WHEN IT CAN BE
PERMITTED TO GO;" HE CANNOT DETERMINE THERE HAS BEEN ANY
TORTURE DURING PAST TWO YEARS, BUT DEFINITELY NONE SINCE HE
TOOK OFFICE THIS YEAR; ELECTIONS CANNOT BE HELD IN CHILE FOR
AT LEAST THREE MORE YEARS BECAUSE OF TIME REQUIRED TO RE-
REGISTER VOTERS. CONG. FRASER GAINED IMPRESSION THAT
AUTHORITY OF SCHWEITZER AND MINISTRY OF JUSTICE IS VERY LIMITED.
HE URGED GOC TO ADMIT UN WORKING GROUP. END SUMMARY.

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SCHWEITZER SAID, AT FIRST, THERE ARE EIGHT PERSONS TRIED OR CONVICTED FOR TORTURING, BUT LATER REJECTED USE OF WORD "TORTURE" IN FAVOR OF "ABUSES OF POWER" SUCH AS "UNNECESSARY VIOLENCE IN HANDLING PRISONERS." NAMES OF THE EIGHT HAVE NOT BEEN PUBLISHED IN ORDER TO PROTECT THEM FROM OTHER PRISONERS, HE SAID. FRASER URGED PUBLICATION OF NAMES TO PROVE GOOD FAITH OF GOC, AND SCHWEITZER AGREED TO MAKE EFFORTS TO PUBLISH NAMES. ASKED ABOUT INTERROGATION CENTERS, SCHWEITZER SAID THEY WERE OUTSIDE HIS JURISDICTION, JUSTICE MINISTRY OFFICIALS NOT PERMITTED TO OBSERVE THEM, AND JUSTICE MINISTRY NOT RESPONSIBLE FOR ANYTHING HAPPENING IN CENTERS. RESPONSIBILITY FOR HANDLING TORTURE CASES BELONGS TO PRESIDENT AND MINISTER OF INTERIOR.

CONCERNING ALLANA GROUP VISIT, SCHWEITZER SAID GROUP WAS PREJUDICED AGAINST CHILE BEFORE SCHEDULED ARRIVAL, HAVING GATHERED INFORMATION ON ALLEGATIONS CONCERNING PAST EVENTS INSTEAD OF CONCENTRATING ON PRESENT SITUATION. SINCE VISIT NOT CANCELLED BUT ONLY POSTPONED, IT MIGHT BE GRANTED ENTRY AT MORE PROPITIOUS TIME. AS AN ALTERNATIVE, ANOTHER INTERNATIONAL GROUP SUCH AS ONE FROM OAS, MIGHT BE ALLOWED TO VISIT. RESPONSIBILITY FOR SUCH VISITS RESTS WITH PRESIDENT AND FOREIGN MINISTER. ALLANA GROUP REPORT FALSELY IDENTIFIED OSWALDO ROMO AS CHIEF TORTURER SINCE HE IS ANTI-GOC LEFTIST NOW IN JAIL.

CONCERNING COURT PROCEDURES, SCHWEITZER SAID BOTH SENTENCES AND CONVICTIONS CAN BE APPEALED TO SUPREME COURT. CIVILIAN LAWYERS ARE PARTICIPATING IN MILITARY COURTS, AND SINCE SEPT. 10, PROCEDURES ARE IN EFFECT WHICH WILL LEAD TO GREATER USE OF CIVILIAN COURTS OVER A PERIOD OF TIME.

ASKED ABOUT GOC REFUSAL TO ALLOW RETURN OF BISHOP FRENZ, SCHWEITZER SAID 80PCT OF CHILEAN LUTEHRANS PETITIONED GOC NOT TO ALLOW FRENZ' RETURN BECAUSE HIS POLITICAL ACTIVITIES MIXED POLITICS WITH RELIGION. FRENZ ACTIVITIES WERE DESCRIBED AS ILLEGAL UNDER CHILEAN LAW, SUCH AS PROVIDING REFUGE FOR TERRORISTS.

RE-REGISTRATION OF VOTERS IS REQUIRED BEFORE ELECTIONS
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CAN BE HELD, A PROCESS WHICH WILL TAKE AT LEAST 3 YEARS AND WILL BE PRECEDED BY COMPLETING ISSUANCE OF NEW CITIZEN ID CARDS. INADEQUATE ADMINISTRATIVE FACILITIES AND MONEY PREVENT FASTER PROCESS.

SCHWEITZER EMPHASIZED THAT EXCESSES OF ALLENDE REGIME HAVE NECESSITATED MEASURES TAKEN BY PINOCHET GOVERNMENT, AND THAT TO UNDERSTAND POLICIES OF PRESENT GOVERNMENT,

ONE MUST BE FULLY AWARE OF CONDITIONS IN CHILE UNDER ITS
PREDECESSOR.

CONG. FRASER POINTED TO HISTORY OF GOOD RELATIONS
BETWEEN CHILE AND US, AND CALLED CHILE'S TRADITION OF
CONSTITUTIONAL GOVERNMENT "ONE OF THE PROUDEST IN THE
WESTERN HEMISPHERE." AMERICANS FEEL PARTICULAR REGRET THAT
THIS TRADITION HAS BEEN DESTROYED BY PRESENT
GOVERNMENT. HE SAID HE WISHES ONLY THE BEST FOR CHILE
AND THAT WHAT CHILE DOES IS ITS OWN RESPONSIBILITY.
HOWEVER, US RELATIONS WITH CHILE MUST BE DEFINED IN TERMS
OF US INTERESTS. CHILE-US RELATIONS HAVE BECOME STRAINED
BECAUSE OF CHILEAN INDIFFERENCE TO IMPORTANT VALUES OF US
AND INTERNATIONAL COMMUNITY. CONDUCT OF GOC HAS PUT
CHILE IN VERY WEAK POSITION IN THE WORLD, MADE WEAKER STILL
BY REFUSAL TO ADMIT UN HUMAN RIGHTS WORKING GROUP. HE SAID
CONCERN OF INTERNATIONAL COMMUNITY SHOULD FOCUS ON PRESENT
AND FUTURE CONDITIONS I CHILE, NOT PAST EVENTS.
ACCORDINGLY, IF GOC HAS NOTHING TO HIDE, IT SHOULD NOT
FEAR OPEN PUBLIC TRIALS BY CIVILIAN COURTS AND VISIT BY
UN GROUP WHICH MIGHT BE ABLE TO ATTEST TO WORLD THAT
CONDITIONS IN CHILE HAVE IMPROVED.

HE THANKED SCHWEITZER FOR INVITATION TO VISIT CHILE AND
SAID HE WOULD CONSIDER GOING.
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